



IT IS ORDERED as set forth below:

Date: April 6, 2018

A handwritten signature in black ink, appearing to read "Barbara Ellis-Monro", is written over a horizontal line.

**Barbara Ellis-Monro
U.S. Bankruptcy Court Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:	:	
	:	
PATRICIA JANE PORTER,	:	
	:	
Debtor.	:	CHAPTER 13
	:	
TALBOT STATE BANK,	:	CASE NO. 17-42346-BEM
	:	
Movant,	:	JUDGE BARBARA ELLIS-MONRO
	:	
vs.	:	
	:	
PATRICIA JANE PORTER,	:	
	:	
Respondent.	:	

**ORDER ON MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The Motion of Talbot State Bank (Movant) for Relief from the Automatic Stay, having come on regularly to be heard on the 28th day of March, 2018 at 10:15 a.m., and there being no opposition by the Debtor or the Chapter 13 Trustee, it is hereby

ORDERED that the Motion is **GRANTED** and the automatic stay afforded by 11 U.S.C.

§362 is hereby Modified to grant the Movant relief from the stay as to its collateral, including the real property that has the address of 207 Alexander Avenue, Lindale, GA, per this Court's Order Docketed February 28, 2018 (Doc. No. 36), wherein Movant was allowed to proceed with advertising for foreclosure during March 2018 and which is scheduled for a Foreclosure Sale on the first Tuesday of April, and Movant is hereby authorized to exercise its rights and remedies pursuant to contract and state law, including but not limited to non-judicial foreclosure, confirmation of foreclosure sale, if appropriate, for the purpose of preserving its right to file an unsecured deficiency claim in the Debtor's case, enforcement of the assignment of leases and rents agreement, taking possession of its collateral and obtaining and executing upon a writ of possession subsequent to foreclosure. The Trustee may stop disbursements to Movant on its Proof of Claim; it is further,

ORDERED that Movant may recover from the proceeds of the disposition of its collateral, attorney fees and expenses as permitted by contract and state law; it is further

ORDERED that a waiver of Rule 4001(a)(3) is permitted as no parties will be prejudiced by the waiver; it is further

ORDERED that upon completion of foreclosure proceedings, Movant and Trustee shall no longer be subject to the notice requirements of Rule 3002.1; it is further

ORDERED that Movant account to the Chapter 13 Trustee for any surplus following its foreclosure sale.

[END OF DOCUMENT]

Signatures on following page

PRESENTED BY:

MANN & WOOLDRIDGE, PC

By: /s/ R. Brian Wooldridge
R. Brian Wooldridge
Counsel for Movant
State Bar No. 775981

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NO OPPOSITION:

By: /s/ Brandi L. Kirkland
Brandi L. Kirkland, Attorney for
Chapter 13 Trustee
State Bar No. 423627

Mary Ida Townson
Chapter 13 Trustee
191 Peachtree Street, NE, Suite 2200
Atlanta, GA 30303-1740
404-525-1110

PARTIES TO BE SERVED:

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